

421 Delgado Lane
Santa Fe, New Mexico 87501

November 15, 1998

John Dendahl, Chairman
The Republican Party of New Mexico
2901 Juan Tabo NE, Suite 116
Albuquerque, NM 87112

Re: Federal Election Commission Complaint No. 4830

Dear Mr. Dendahl:

On May 14, 1998, I tendered Citizens Bank of Las Cruces personal check number 831 to the Udall Congressional campaign in the amount of \$1,000.00. This contribution was intended to support Udall's primary election held June 2, 1998. It was delivered at least two weeks prior thereto. Upon information and belief, the check was so designated.¹

On July 23, 1998, I tendered Citizens Bank of Las Cruces personal check number 887 to the Udall Congressional campaign in the amount of \$1,000.00. This contribution was intended to support Udall's general election held November 3, 1998. It was delivered almost two months subsequent to the primary and over three months prior to the general election. Upon information and belief, this check was also so designated.²

I made no further contributions to the Udall campaign or to the Democratic party.

Based on the foregoing, I am disturbed by your inclusion of my name in your Complaint before the Federal Election Commission. Notably, you have not named me -- nor could you given the timing, amounts and designation of my two contributions -- in paragraph III.A.7. of your Complaint whereby you list those donors who you allege made contributions that exceeded campaign limits. I render no opinion on the validity of other donors' contributions or to the adequacy of other allegations in your Complaint as I took no part in Udall's campaign effort other than the two contributions noted above.

Without any legal basis or factual underpinning for listing my name in your Complaint, I would like to assume you did so inadvertently rather than arbitrarily. If your decision was not an oversight, I can only conclude you listed my name simply because my contributions put me in a

¹If necessary, and for a not insubstantial fee, Citizens Bank can research and obtain the relevant documentation, including apparently a microfiche of the checks themselves. As you know, the dates and amounts of my contributions are a matter of public record.

²See footnote 1, above.

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class of "large" contributors to the campaign, a decision which obviously has no support in the law.

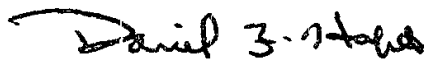
What is particularly troubling is that I am registered as a (small "i") independent and often vote Republican. In fact, in this most recent general election, I voted for Governor Johnson, David Iglesias, and numerous other worthy Republican candidates on the ballot. I also voted against every member of the state appellate courts who were up for retention, most if not all of whom are Democrats. This is no way, sir, for the state Republican party to attract typical "swing" voters like myself who are often willing to support worthy Republican ideals and candidates with financial and other resources.

By listing my name, moreover, you have alleged I have acted inappropriately and illegally in supporting a candidate of my choosing in the 1998 Congressional elections. As an active member of several bars, a former Assistant United States Attorney, New Mexico Assistant Attorney General, and law clerk to Federal appellate and district court judges, I am troubled by what appears to be an unfounded attack on my integrity.

I respectfully request that you move the Commission to delete my name from Complaint no. 4830 and that you do so immediately.

I look forward to your response.

Sincerely,



Daniel F. Haft

cc: Federal Election Commission
Office of General Counsel
999 E Street, NW
Washington, D.C. 20463